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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

PERPLEXITY SOLVED SOLUTIONS
INC.,

Plaintiff,

v.

PERPLEXITY AI, INC.,

Defendant.

PERPLEXITY AI, INC.,

Counterclaimant,

v.

PERPLEXITY SOLVED SOLUTIONS
INC.,

Counterdefendant.

Case No. 3:25-cv-00989-JSC

**JOINT CASE MANAGEMENT
STATEMENT & [PROPOSED] ORDER**


Judge: Hon. Jaqueline S. Corley
Courtroom: 8, 19th Floor

Plaintiff and Counterdefendant Perplexity Solved Solutions Inc. (“Plaintiff”) and Defendant and Counterclaimant Perplexity AI, Inc. (“Defendant”) jointly submit this JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER pursuant to the Standing Order for All Judges of the Northern District of California and Civil Local Rule 16-9. Plaintiff and Defendant are referred to herein individually as a “Party” and collectively as the “Parties.”


1. Jurisdiction & Service

This action arises under the Lanham Act, 15 U.S.C. § 1051 *et seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201, and California statutory and common law. This Court has original subject matter jurisdiction over the Lanham Act and Declaratory Judgment Act claims pursuant to 28 U.S.C. §§ 1331 and 1338, and supplemental jurisdiction over the statutory and common law claims, which form part of the same case or controversy, pursuant to 28 U.S.C. § 1367(a). The Parties are not aware of any issues regarding personal jurisdiction or venue and all Parties have been served.

2. Facts

On January 30, 2025, Plaintiff filed its Complaint (Dkt. No. 1) against Defendant for: (1) Trademark Infringement in Violation of Section 32(1) of the Lanham Act; (2) Unfair Competition and False Designation of Origin in Violation of Section 43(a) of the Lanham Act; (3) Cybersquatting in Violation of Section 43(d) of the Lanham Act (referred to herein as the “Cybersquatting Claim”); (4) Unfair Business Practices in Violation of Cal. Bus. & Prof. Code § 17200 *et seq.*; (5) Common Law Trademark Infringement and Unfair Competition; and (6) Declaratory Judgment Regarding Defendant’s Pending Applications. Plaintiff claims trademark rights in the PERPLEXITY word mark and related logo  (the “PERPLEXITY Leaf Logo” and, together with the PERPLEXITY word mark, “Plaintiff’s Marks”) dating back to 2017 based on the activities of Plaintiff, its owner and founder (Dawn Gallman Mobley), and a related entity, Perplexity Solved Solutions Inc, a Georgia corporation (also founded and owned by Ms. Mobley) (Dkt. No. 33). Plaintiff owns a federal trademark registration for the

1 PERPLEXITY Leaf Logo (Reg. No. 6,906,290) for “software as a service (SAAS) services
2 featuring software for data analytics and UI testing” in Class 42. Plaintiff also owns the
3 *perplexityonline.com* and *perplexitymeet.com* websites. Under Plaintiff’s Marks, Plaintiff
4 primarily claims to offer these SaaS services, a video conferencing platform, and related software
5 solutions and services.

6 On April 2, 2025, Defendant filed Counterclaims (Dkt. No. 23) against Plaintiff for:
7 (1) “Cancellation of [Plaintiff] PSSI’s U.S. Trademark Registration Under 15 U.S.C. § 1115(b)(1)
8 and 15 U.S.C. § 1119 (*for Fraud*);” and (2) “Cancellation of [Plaintiff] PSSI’s U.S. Trademark
9 Registration Under 15 U.S.C. § 1064(3) and 15 U.S.C. § 1119 (*for Non-use/Abandonment*).”
10 Defendant also filed an Answer (Dkt. No. 23) and Motion to Dismiss Plaintiff’s Cybersquatting
11 Claim (Dkt. No. 18). Defendant claims trademark rights to the PERPLEXITY word mark and
12 logo  (collectively, “Defendant’s Marks”) dating back to August 2022 to primarily
13 offer an artificially intelligent conversational chatbot that provides direct, accurate, and well-
14 sourced answers to any user query, including through its website (*perplexity.ai*) and mobile app.
15 Defendant subsequently filed U.S. Application Serial Nos. 98/400,215, 98/400,216, and
16 98/437,227 (collectively, “Pending Applications”) for the marks PERPLEXITY and
17 PERPLEXITY AI in Classes 9 and 41.

18 Prior to the filing of this lawsuit, Defendant contacted Plaintiff to discuss the possibility of
19 acquiring Plaintiff’s trademark rights, but Plaintiff declined to sell. Instead, Plaintiff insisted that
20 Defendant cease all use of Plaintiff’s Marks (including Defendant’s Marks), but Defendant
21 declined to do so. Thus, the Parties come to the Court primarily to determine (1) whether
22 Plaintiff’s trademark rights have been infringed by Defendant; and (2) whether Plaintiff’s
23 trademark rights are valid and whether the registration for the PERPLEXITY Leaf Logo is subject
24 to cancellation for fraud and abandonment.
25

26 **3. Legal Issues**

27 The following points of law are in dispute:
28

- Whether the use of Defendant's Marks violates Plaintiff's rights in the Plaintiff's Marks under federal and California laws by causing a likelihood of consumer confusion;
- Whether Defendant's use of the *perplexity.ai* domain name constitutes cybersquatting under the federal Lanham Act;
- Whether Defendant's Pending Applications should be refused based on a likelihood of confusion with Plaintiff's trademark rights; and
- Whether Plaintiff committed fraud in obtaining its trademark registration for the PERPLEXITY Leaf Logo or subsequently abandoned these rights.

4. **Motions**

On April 2, 2025, Defendant filed a Motion to Dismiss Plaintiff's cybersquatting claim. See Dkt. No. 18. The Motion to Dismiss is fully briefed as of May 6, 2025 (Dkt. Nos. 31, 36) and scheduled to be heard on June 5, 2025 (Dkt. No. 24). There are no other pending motions at this time.

The Parties anticipate filing Motions for Summary Judgment as to all claims and counterclaims at the appropriate time. The Parties reserve the right to file any other motion on any other basis, including based on information disclosed in the course of discovery.

5. **Amendment of Pleadings**

The Parties presently do not intend to amend their pleadings. However, the Parties reserve the right to amend their pleadings to add or dismiss parties, claims, and/or defenses in light of subsequent developments. As set forth in Section 16 below, the Parties' efforts to meet and confer on the deadline to amend their pleadings were unsuccessful.

6. **Evidence Preservation**

The Parties have reviewed the Guidelines Relating to the Discovery of Electronically Stored Information ("ESI Guidelines"), and have met and conferred pursuant to Fed. R. Civ. P.

26(f) regarding reasonable and proportionate steps taken to preserve evidence relevant to the issues reasonably evident in this action.

7. **Disclosures**

The Parties exchanged Initial Disclosures on May 9, 2025, as agreed to during their Rule 26(f) meeting. Pursuant to Fed. R. Civ. P. 26, the Parties disclosed anticipated witnesses, categories of relevant documents, damages, and insurance information.

8. **Discovery**

The Parties have exchanged Initial Disclosures and Defendant served a First Set of Requests for Production and First Set of Interrogatories on Plaintiff, and a document subpoena on the Georgia corporation Perplexity Solved Solutions Inc [sic].

The parties propose the following discovery plan pursuant to Fed. R. Civ. P. 26(f):

- (A) The Parties do not propose any changes in the form, or requirement for disclosures under Fed. R. Civ. P. 26(a), except for the extension to May 9, 2025 for making the disclosures.
- (B) The Parties anticipate seeking discovery predominantly on the factual and legal issues described in detail in Section 2 and 3 above, and the requested relief discussed in Section 11 below. The Parties believe that the time allotted in Section 16 below should be sufficient time to conduct fact discovery, but reserve the right to seek additional time to the extent necessary. At this point, the Parties do not believe that discovery needs to be phased.
- (C) Plaintiff anticipates potential disputes regarding (1) Defendant's service of a subpoena on Plaintiff's corporate affiliate, particularly, Georgia corporation Perplexity Solved Solutions Inc; and (2) Defendant's intention to serve a subpoena on Tiffany Gallman, a former officer of Perplexity Solved Solutions Inc (the Georgia corporation) and the sister of Dawn Gallman Mobley. The Parties presently do not anticipate any other disputes regarding disclosure, discovery, or

1 preservation of electronically stored information. The Parties intend to enter into a
2 stipulated e-discovery order, which will set forth the form in which discovery
3 should be produced.

4 (D) The Parties presently do not anticipate any issues regarding claims of privilege or
5 of protection as to trial-preparation materials at this time. The Parties are meeting-
6 and-conferring regarding the disclosure of privileged information and anticipate
7 memorializing their agreements in a stipulated e-discovery order.

8 (E) The Parties presently do not believe it is necessary to make any changes to the
9 limitations on discovery imposed under the Federal Rules of Civil Procedure and/or
10 the Local Rules.

11 (F) The Parties anticipate exchanging confidential and/or proprietary business
12 information during discovery and are in the process of negotiating a stipulated
13 protective order.
14

15 **9. Class Actions**

16 This case is not a class action.

17 **10. Related Cases**

18 There are two related proceedings pending before the United States Patent and Trademark
19 Office's Trademark Trial and Appeal Board: (1) Plaintiff opposed Defendant's Pending
20 Applications (Opp. No. 91,296,890); and (2) Defendant petitioned to cancel Plaintiff's registration
21 for the PERPLEXITY Leaf Logo (Cancellation No. 92,087,984). Both proceedings have been
22 suspended pending final disposition of this case.

23 **11. Relief**

24 Plaintiff seeks monetary relief primarily arising from the alleged harm to Plaintiff's Marks
25 and Defendant's profits from using Defendant's Marks, as well as punitive and statutory damages,
26 and the recovery of its costs and fees. Plaintiff seeks injunctive relief to primarily stop use of
27
28

1 Defendant's Marks and have the Pending Applications refused and the *perplexity.ai* domain name
2 transferred to it.

3 Defendant primarily seeks the cancellation of Plaintiff's trademark registration for the
4 PERPLEXITY Leaf Logo.

5 **12. Settlement and ADR**

6 The Parties have engaged in settlement discussions, but no agreement was reached.

7 On April 10, 2025, each Party filed its ADR Certification pursuant to ADR L.R. 3-5(b).
8 *See* Dkt. Nos. 27-28. Both Parties are amenable to engaging in ADR, but do not agree on the
9 process. Plaintiff's preferred option is a settlement conference before a magistrate judge.
10 Defendant's preferred option is a private mediation. The Parties look forward to discussing ADR
11 selection with the Court at the case management conference.

12 **13. Other References**

13 This case is not suitable for reference to binding arbitration, a special master, or the Judicial
14 Panel on Multidistrict Litigation.

15 **14. Narrowing of Issues**

16 The Parties believe the following issue(s) are most consequential to the case:

- 17
- 18 1. Whether Defendant's Marks are confusingly similar to Plaintiff's Marks when used
19 with the Parties' respective goods and services such that consumer confusion is
20 likely to occur; and
 - 21 2. Whether Plaintiff's registration for the leaf logo should be cancelled for fraud and
22 abandonment.

23 The Parties may be able to narrow certain issues via stipulated facts or dispositive motion.
24 At this time, the Parties do not foresee bifurcating any issues, claims, or defenses, but reserve the
25 right to request bifurcation later in the litigation.

26 **15. Expedited Trial Procedure**

27 The Parties do not believe that this case is appropriate for the Expedited Trial Procedure.
28

16. Scheduling

After unsuccessful meet and confer efforts, the Parties propose the following dates:

Event	Defendant	Plaintiff	Court Ordered
Deadline to Move to Amend Pleadings	8/8/2025	07/18/2025	
Deadline to Complete Initial ADR	10/15/2025	08/15/2025	
Fact Discovery Cut-Off	5/27/2026	12/19/2025	
Expert Witness Disclosures	7/22/2026	01/16/2026	
Rebuttal Expert Disclosures	9/16/2026	02/16/2026	
Expert Discovery Cut-Off	10/21/2026	03/09/2026	
Deadline for Filing Dispositive/Daubert Motions	11/20/2026	04/08/2026	
Deadline for Hearing Dispositive Motions	1/28/2027	06/15/2026	
Final Pre Trial Conference [Thursday at 1:30pm]	4/29/2027	09/03/2026	
Trial Start [Monday at 8:30 a.m. – 2:00 p.m.]	5/17/2027	09/21/2026	

17. Trial

The Parties request that this case be tried to a jury and anticipate the trial taking 6-9 days.

18. Disclosure of Non-party Interested Entities or Persons

The Parties filed their respective Certifications of Conflicts and Interested Entities or Persons (Dkt. Nos. 3, 19, 33), with the only parties being identified as having a financial or other kind of interest in the proceeding being Perplexity Solved Solutions, Inc, a Georgia corporation, by Plaintiff, and the following entities by Defendant: Perplexity AI Portugal, Unipessoal LDA; Perplexity AI Ltd.; Perplexity Management Co., LLC; and Perplexity F7 Fund I LP.

19. Professional Conduct

The Parties' attorneys of record have reviewed the Guidelines for Professional Conduct for the Northern District of California.

1 **20. Other**

2 At this time, the Parties are not aware of any other matters that may facilitate the just,
3 speedy, and inexpensive disposition of the case.

4
5 Dated: May 13, 2025

6 LATHAM & WATKINS LLP

MITCHELL SILBERBERG & KNUPP LLP

7
8 /s/ Jennifer L. Barry

/s/ Marissa B. Lewis

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17 *Counterclaimant Perplexity AI, Inc.*

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Counterdefendant Perplexity Solved
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18
19
20 **ATTESTATION**

21 The undersigned attest that concurrence in the filing of the foregoing Joint Case
22 Management Statement was obtained from all of its signatories.

23 Dated: May 13, 2025

/s/ Marissa B. Lewis

Marissa B. Lewis

CASE MANAGEMENT ORDER

The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated:

Honorable Jacqueline S. Corley
United States District Judge